

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT FIREMAN and ANN RAIDER,

Plaintiffs,

v.

Civil Action No. 05-11740-MLW

NEWS AMERICA MARKETING IN-STORE,
INC.,

Defendant.

**JOINT STATEMENT OF COUNSEL
REGARDING SETTLEMENT AND POTENTIAL MEDIATION**

Pursuant to the Court's May 30, 2006 Scheduling Order (Document 11), counsel for the parties were instructed to meet at least once to explore the possibility of settlement and to report by January 9, 2007 to the Court the status and prospects of settlement and whether they wish to participate in mediation.

Counsel for all parties hereby report to the Court that they have met to explore the possibility of settlement, that there is no prospect of settlement at the present time, and that the defendant does not believe that reference to a magistrate-judge or other mediator would be productive at the present time.

ROBERT FIREMAN and ANN RAIDER

NEWS AMERICA MARKETING IN-STORE,
INC.

By their attorneys,

By its attorneys,

/s/ Kevin T. Peters

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Dated: January 9, 2007
Boston, Massachusetts

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 9th day of January, 2007.

/s/ Gordon P. Katz
Gordon P. Katz